

House Bill 1447

By: Representatives Benton of the 31st, Meadows of the 5th, Bearden of the 68th, Smith of the 13th, and England of the 108th

A BILL TO BE ENTITLED

AN ACT

To amend Code Section 7-1-1013 of the Official Code of Georgia Annotated, relating to the prohibition of certain acts by persons transacting a mortgage business, so as to prohibit the act of extending a loan to a person whom the broker or lender knows or should know to be in this country illegally; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 7-1-1013 of the Official Code of Georgia Annotated, relating to the prohibition of certain acts by persons transacting a mortgage business, is amended by striking the word "or" at the end of paragraph (10), by striking the period at the end of paragraph (11) and inserting "; or", and by inserting at the end of such Code section a new paragraph to read as follows:

"(12) Make, directly or indirectly, any residential mortgage loan to any person he or she knows or in the reasonable exercise of due diligence should know to be in this country illegally. For purposes of this paragraph, a person fails to exercise due diligence if he or she fails to demand reliable identification or relies on identification which an ordinary person would know to be false or unreliable."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.